

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

ARISE FOR SOCIAL JUSTICE;
¿OISTE?; NEW ENGLAND STATE-AREA
CONFERENCE OF THE NAACP;
REV. TALBERT W. SWAN, II;
NORMAN W. OLIVER; DARLENE
ANDERSON; GUMERSINDO GOMEZ;
FRANK BUNTIN; RAFAEL
RODRIGUEZ; and DIANA NURSE,

Plaintiffs,

v.

CITY OF SPRINGFIELD and
SPRINGFIELD ELECTION COMMISSION,

Defendants.

Civil Action No. 05-30080 MAP

DEPOSITION DESIGNATIONS

Plaintiffs submit the following list of deposition designations, which includes both Plaintiffs' designations and Defendants' responsive counterdesignations.

Designations from the Deposition of Jose Tosado (attached hereto as Exhibit A)

36: 20-22	43: 1-19	50: 1-2, 9-24
38: 8-24	44: 19-24	51: 1-9
39: 1-23	45: 1	57: 10-16
40: 1-15	49: 8-24	

Designations from the Deposition of Rosemarie Mazza-Moriarty

(attached hereto as Exhibit B)

10: 8-24	28: 19-24	46: 8-13
11: 1-12	29: 1-8	56: 15-21
12: 11-20	32: 14-16	58: 8-24
15: 11-18	33: 1-8	59: 1-3, 8-24
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20: 1, 13-21	38: 12-24	67: 14-24
21: 20-23	39: 21-24	68: 15-24
22: 1-10	40: 1-24	69: 1-5, 8-23
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25: 7-14	44: 1-9	73: 1-20
27: 11-24	45: 2-14	

Designations from the Deposition of Bud Williams (attached hereto as Exhibit C)

30: 19-24	54: 9-21	76: 1-15
31: 1-10, 21-23	56: 11-23	80: 10-24
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36: 1-3, 13-17	75: 19-24	85: 1

Respectfully submitted,

ARISE FOR SOCIAL JUSTICE; ¿OISTE?;
NEW ENGLAND STATE-AREA
CONFERENCE OF THE NAACP; REV.
TALBERT W. SWAN, II; NORMAN W.
OLIVER; DARLENE ANDERSON;
GUMERSINDO GOMEZ; FRANK BUNTIN;
RAFAEL RODRIQUEZ; and DIANA NURSE

By their attorneys,

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Dated: March 16, 2007

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing Deposition Designations were filed electronically with this Court on this 16th day of March, 2007 and that all parties will be served via the Court's electronic filing system.

/s/ Anna-Marie L. Tabor
Anna-Marie L. Tabor (BBO #662364)

EXHIBIT A

0001

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF MASSACHUSETTS
3 C.A. No. 05-30080-MAP
4

5 *****

6 ARISE FOR SOCIAL JUSTICE, ET AL, *

7 Plaintiffs *

8 vs. *

9 CITY OF SPRINGFIELD and

10 SPRINGFIELD ELECTION COMMISSION, *

11 Defendants *

12 *****

13

14 DEPOSITION OF: JOSE TOSADO
15 CITY OF SPRINGFIELD LAW DEPARTMENT
16 36 Court Street
17 Springfield, Massachusetts
18 October 18, 2005 10:30 a.m.
19

20

21 GAYLE OHMAN
22 CERTIFIED SHORTHAND REPORTER
23 #1353S94
24

0002

1 APPEARANCES:

2

3 Representing the plaintiffs:

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0003

1 I N D E X
2 WITNESS: JOSE TOSADO
3
4 EXAMINATION BY: PAGE:
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7 EXHIBIT PAGE
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0004

1 (Deposition commenced at 10:35 a.m.)
2
3 JOSE TOSADO, Deponent, having been duly
4 sworn, deposes and states as follows:
5
6 EXAMINATION BY MR. CONNOLLY:
7
8 Q. Good morning, Mr. Tosado. My name
9 is Bill Connolly, I'm an attorney representing
10 the plaintiffs in this lawsuit. With me here
11 today is Nadine Cohen from the Lawyers'
12 Committee for Civil Rights Under Law of the
13 Boston Bar Association. She is co-counsel with
14 me and also representing the plaintiffs.
15 And also here today is Monica
16 Franceschini. She works with me at Goodwin

24 election?

0036

1 A. That's correct.

2 Q. Richard Mundo did not win?

3 A. Correct.

4 Q. When did Mr. Mundo run for city
5 council?

6 A. I don't know. Early 80's I guess.

7 Q. Mr. Reeves and Mr. Mundo are both
8 Latino gentlemen?

9 A. That's correct.

10 Q. How did Mike Reeves do in the
11 election other than the fact that he didn't win?

12 A. I don't know, those are my early
13 days. I was very astute so I didn't keep track
14 of how many votes you got in particular sections
15 of the city. I just know he lost.

16 Q. Did he come close at all to
17 winning?

18 A. I don't recall, but I doubt it.

19 Q. Why would you doubt it?

20 A. **Because my recollection many of the**
21 **Latino candidates who have run have not been**
22 **able to get large support across the city.**

23 Q. So this would have been in the case
24 in the 70's?

0037

1 A. Very much so.

2 Q. How about today?

3 A. Well, most recent elections for
4 city council other than myself was Alex Cortez
5 who ran over the past two election cycles, and
6 he was able to get more support I suspected than
7 other people. I think the support came from
8 pretty much from Ward 1 and Ward 2. And besides
9 Cortez Lois Garcia who also ran probably back in
10 the mid '90's.

11 Q. What did Mr. Garcia run for?

12 A. He ran in two elections. He ran an
13 election -- his first election was for city
14 council, his second election was for school
15 committee.

16 Q. Did you work at all with Mr. Garcia
17 on his campaign?

18 A. Yes, I did. And I don't recall his
19 numbers, but I don't think he made the top 12.

20 Q. Not top 12. This would be the city
21 council election?

22 A. Right. There's nine seats, but,
23 you know, if you get up in the top 12 you're
24 doing okay in terms of a future run if possible.

0038

1 Q. Do you recall how Mr. Mundo did in
2 his election?

3 A. Yeah, I really don't.

4 Q. Is it fair to say that he like Mr.
5 Reevis he wasn't able to obtain a broad base of
6 support from voters?

7 A. That's probably a fair statement.

8 Q. Why is it that neither Mr. Reevis
9 nor Mr. Mundo were able to generate a broad base
10 of voter support for their elections?

11 A. I can only give you my opinion for
12 whatever it's worth.

13 Q. What is your opinion?

14 A. They didn't have the money that it
15 takes in order to run a well-organized campaign
16 to get your message out, the resources were very
17 limited. It requires contacts, you know, and
18 you always start with a circle of friends and
19 family, and neither of them has a very large
20 family.

21 I think it requires contacts. Most
22 of the people who ran for city council who were
23 Latino pretty much did not grow up in the city;
24 like Mike and Richy they're from New York.

0039

1 Louis Garcia -- they're from New York, they're
2 all transplants, primarily most of them have
3 been.

4 You know, it's helpful if you grew
5 up in the city and you have a natural access to
6 people that you grew up with. It's still pretty
7 much a pretty parochial kind of city.

8 So that if you don't have the
9 contacts you can't reach out to raise the money
10 that's needed. And so I would say that, at
11 least part of it.

12 Q. What does it take to raise enough
13 money to run a successful campaign in
14 Springfield?

15 A. A lot of hard work.

16 Q. Where are the funds available from?

17 A. Wherever you can seek them

18 basically.

19 Q. Is the Latino community considered

20 a source of adequate funds to mount to a

21 successful campaign?

22 A. Not a citywide campaign, no. It's

23 a poor community.

24 Q. What about the African American

0040

1 community, is that considered a source of

2 sufficient funds to mount a campaign?

3 A. More so funds than the Latino

4 community sufficiently to run a citywide

5 campaign? I would venture to say not, but again

6 I'm not sure.

7 Q. Is it fair to say, and correct me

8 if I'm wrong, that that would be an accurate

9 description of circumstances today?

10 A. I was speaking in terms of today,

11 yeah.

12 Q. This would be for both the African

13 American community and the Hispanic community as

14 a source of campaign funds?

15 A. That would be true.

16 Q. Other than -- I think I'm going to

17 miss one name -- but other than Mr. Reeves,

18 Mr. Mundo, Miss Rosa and Mr. Garcia do you

19 recall any other Latino candidates for either

20 school committee or city council?

21 A. Yes.

22 Q. And who were those candidates?

23 A. My earliest recollection there was

24 someone, a Latino who ran for city council was

0041

1 John Ramos also from New York who hadn't been

2 here very long.

3 Q. When did he run for city council?

4 A. I would say like '75 or so.

5 Q. Who else can you think of?

6 A. Let's see John Ramos, Richard

7 Mundo, Mike Reeves, Cesar Ruiz -- he ran for

8 school committee. I believe he won, he was on

9 the school committee.

10 Q. Do you recall when that was?

11 A. In the 70's as well. He also then

12 later ran for state rep and lost. Let's see.
13 Oh, Edgar Alejandro, he did very well. He ran
14 for school committee. I think he came in
15 twelfth actually.

16 Q. He came in twelfth for the school
17 committee?

18 A. For city council. He was also from
19 New York but he had a big circle of friends. He
20 was East Forest Park. He was a hockey coach at
21 Cathedral High School which is a parochial
22 school in the city. He had a large circle of
23 friends so he did very well.

24 Q. But he came in twelfth?

0042

1 A. He came in twelfth. Who else for
2 city council? I can't recall anybody else. For
3 school committee you had I guess Victor Davular
4 has run a couple of times, and he's currently
5 running. Oh, Gumersindo Gomez, one of the
6 plaintiffs, of course. He ran for city council.
7 He's also a native of Springfield. That's what
8 I recall as of right now.

9 Q. You think the reason why Mr. Gomez
10 wasn't elected to city council is because he
11 wasn't a native of Springfield?

12 A. I don't think there's one reason.
13 I think there's many different variables that
14 fall into play. I do believe that having --
15 again, it's a very parochial system, and
16 sometimes it takes a lot of people to kind of
17 warm up to you. And if you haven't grown up
18 here you haven't made the contacts that are
19 helpful I guess.

20 I mean, that's one reason.
21 Obviously the other reason is money, and two, is
22 again, it's difficult to reach out to other
23 sectors of the city if you don't have the
24 contacts.

0043

1 Q. So when you talk about having
2 contacts, are you referring to contacts with
3 other racial or ethnic groups within the city?

4 A. Yes.

5 Q. Do you --

6 A. And sometimes even within your own.
7 One of the reasons Edgar Alejandro he probably

8 could have done better was that he didn't have
9 the contacts in the Hispanic community because
10 he didn't grow up there.

11 I think he did very well in the
12 white neighborhoods actually, and I think a lot
13 of it has to do with who he was as a person. I
14 think the whole hockey connection which is like
15 a cult helped him out as well.

16 But he didn't grow up in the city
17 or the north end, and he didn't have the Latino
18 connections in his particular case. I wouldn't
19 say that's true of the others.

20 Q. Why is it that you think it's
21 important for a successful candidate to have
22 contacts with other groups within the city? For
23 example, white voters or African American
24 voters?

0044

1 A. Exposure. I mean, you can do very
2 well within your particular ethnic group, and
3 you can be invited to their houses for coffee
4 hours and they can do fund-raisers for you, but
5 other ethnic groups can bring you into their
6 neighborhood and introduce you and have coffee
7 hours for you and give you the exposure, you
8 know, to other sections, not only to the ethnic
9 groups but also to other sections of the city.

10 Q. And is the purpose of having
11 contacts with white voters, for example, is the
12 purpose of having those contacts to obtain the
13 support of particular individuals who might
14 convince others to vote for you?

15 A. Well, I would just rephrase that to
16 say the purpose of having contacts with anybody
17 if you're running for office is to gather
18 support.

19 Q. Do you think it's more important
20 to have contacts or more important to have money
21 to win elections?

22 A. I don't think they're exclusive.

23 Q. If you had to rank them how would
24 you rank them?

0045

1 A. It's like the chicken or the egg.

2 Q. Do you know whether the other
3 Latino candidates who have run for city council

21 for a candidate to have contacts?

22 A. Uh-huh.

23 Q. You think that your participation
24 in these organizations has given you the kind of
0049

1 contacts that you need to be a successful
2 candidate?

3 A. Yeah, I think it was helpful.

4 Q. Would it also be fair to say that
5 you're considered to be a leader within your
6 community in the City of Springfield?

7 A. I would say that's fair.

8 Q. Seems like it to me. What is the
9 Latino Breakfast Club?

10 A. It's pretty much a civic group I
11 founded in the 1990's with my friend Edgar
12 Alejandro basically as a way to create
13 networking opportunities for other Latinos.
14 Edgar and I had the advantage of
15 having a lot of access to organizations and to
16 people who are considered important in the city
17 and the region.

18 So we were able to get and to come
19 and meet on a monthly basis over breakfast and
20 talk to us about issues that affect our
21 community or impact our community. But it also
22 created opportunities for other Latinos who are
23 professionals in their own fields to get to know
24 each other so if they ever need something they
0050

1 can pick up a phone and be able to call
2 somebody.

3 Q. You mentioned that issues that
4 affected our community. What types of issues
5 did the Latino Breakfast Club seek to get a
6 dialogue going on?

7 A. Health, the health of the Latino
8 community, education, employment.

9 Q. Are there issues relating to health
10 which are unique to the Latino community?

11 A. Absolutely.

12 Q. And generally what would those
13 issues be?

14 A. The Latino community has the
15 highest rates of infection with HIV and AIDS
16 across the state; particularly Hispanic numbers

17 are the fastest growing segment. Early
18 childhood health issues because the lack of
19 insurance and access to health -- to adequate
20 health care.

21 Q. What about in the area of
22 education, what are the issues that are specific
23 to the Latino community?

24 A. Latinos have the highest rate of
0051

1 dropout. They have the lowest performance of
2 standardized test scores, the lowest rates of
3 acceptance, entrance into educations of higher
4 learning, highest rates of truancy.

5 Q. And in the area of employment?

6 A. Probably one of the most highest
7 unemployment rate I would imagine. Low wages,
8 you know, needing to work more than one job to
9 make ends meet. The whole shabang.

10 Q. How about discrimination, is that
11 an issue with the Latino Breakfast Club?

12 A. No, we didn't address that
13 specifically.

14 Q. You believe that discrimination is
15 an issue that affects the Latino community in
16 Springfield?

17 A. I think discrimination is an issue
18 in America.

19 Q. In America?

20 A. Yes.

21 Q. What about in Springfield
22 specifically?

23 A. Part of America. Yeah, it's an
24 issue.

0052

1 Q. Other than health education and
2 employment issues what other types of issues
3 does the Latino Breakfast Club concern itself
4 with?

5 A. I think those are the big three.
6 And, again, a lot of it is bringing in people to
7 address and discuss our issues. Most recently
8 we had Tim Collins who is the president of the
9 Springfield Education Association. He was our
10 September speaker, and he came to talk to us
11 about the impact of 400 new teachers into the
12 Springfield public schools.

5 idea to join the lawsuit?

6 A. As I said earlier the level of
7 frustration of the inability to get people of
8 color, and our particular concern Latinos
9 elected to office, and have a seat around the
10 table to make decisions that affect our lives.

11 Q. And this happened in 1997; correct?

12 A. Yeah. You probably know the date
13 better than I do.

14 Q. Does that sound right to you?

15 A. Sounds about right.

16 Q. And what was the reason why Latinos
17 had been unable to gain access to the table
18 issue as you pointed out?

19 A. Well, it's for all the reasons
20 we've just been discussing over the past course
21 of an hour in terms of what it takes to run an
22 effective campaign which is money, which is
23 organization, which is access to people.

24 Q. But the lawsuit was a challenge to

0057

1 the way that the elections were conducted; isn't
2 that right?

3 A. Explain, I'm not sure what you
4 mean.

5 Q. Well, was one of the purposes of
6 the lawsuit to have the existing at large
7 election system changed to a ward representation
8 system?

9 A. Yes.

10 **Q. So did you believe that the at**
11 **large form of election was prohibiting or**
12 **preventing Hispanics, qualified Hispanic**
13 **candidates from being elected?**

14 A. Yes.

15 **Q. You believe that's the case today?**

16 A. Yes.

17 MR. CONNOLLY: I need to take a
18 couple of minutes.

19

20 (Short break taken)

21

22 MR. CONNOLLY: Back on the record.

23 Q. (By Mr. Connolly) When was the
24 first time you ran for public office?

0058

EXHIBIT B

0001

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF MASSACHUSETTS
3 C.A. No. 05-30080-MAP
4

5 *****

6 ARISE FOR SOCIAL JUSTICE, ET AL, *
7 Plaintiffs *

8 vs. *

9 CITY OF SPRINGFIELD and *
10 SPRINGFIELD ELECTION COMMISSION, *
11 Defendants *

12 *****

13

14 DEPOSITION OF: ROSEMARIE MAZZA-MORIARTY
15 CITY OF SPRINGFIELD LAW DEPARTMENT
16 36 Court Street
17 Springfield, Massachusetts
18 October 20, 2005 10:00 a.m.
19

20

21 GAYLE OHMAN
22 CERTIFIED SHORTHAND REPORTER
23 #1353S94
24

0002

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15 BY: DEANNE ROSS, ESQ.
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I N D E X

2	WITNESS:	ROSEMARIE MAZZA-MORIARTY
3		
4	EXAMINATION BY:	PAGE:
5	Ms. Francheschini	4/74
6	Ms. Ross:	71
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1 (Deposition commenced at 10:15 a.m.)

2

3 ROSEMARIE MAZZA-MORIARTY, Deponent, having
4 been duly sworn, deposes and states as follows:

5

6 EXAMINATION BY MS. FRANCESCHINI:

7

8 Q. Good morning, Ms. Mazza-Moriarty.

9 A. Good morning.

10 Q. My name is Monica Franceschini with
11 the lawfirm of Goodwin Procter. I represent the
12 plaintiffs in this case. And with me is Bill
13 Connolly who also represents the plaintiffs from
14 Goodwin Procter.

15 We've agreed to waive objections

16 except as to form, and to waive the notarizing

5 was a laborer who died when I was really young,
6 and my grandmother on his side never worked to
7 my knowledge.

8 Q. You said your grandfather on your
9 mother's side was a former city councilor?

10 A. He was.

11 Q. When was he a city councilor?

12 A. In the early 60's. The late 50's,
13 early 60's. He served with Charlie Ryan.

14 Q. And did you say he was also a state
15 representative?

16 A. Yes.

17 Q. When was that?

18 A. I think up until the late 70's,
19 maybe early 80's.

20 Q. And you're married?

21 A. Yes.

22 Q. What does your husband do?

23 A. He works for the City of
24 Springfield at the Hampden County Employment and

0011
1 Training Consortium.

2 Q. Is it fair to say then that your
3 family is generally well known in the City of
4 Springfield?

5 A. Yes.

6 Q. And that your family is well known
7 in city politics?

8 A. Yes.

9 Q. Where do you currently live?

10 A. In East Springfield.

11 Q. What's your address there?

12 A. 95 Osborne, O-S-B-O-R-N-E, Terrace.

13 Q. How long have you lived there?

14 A. About 15 years.

15 Q. Where did you live before that?

16 A. 75 Osborne Terrace.

17 Q. How long did you live at 75 Osborne
18 Terrace?

19 A. 41 take away 15, all my previous
20 years.

21 Q. What ward is that?

22 A. Ward 2.

23 Q. And if you were to -- what
24 neighborhood is that, is that also East

0012

1 Springfield?

2 A. Yes. It includes part of Hungry
3 Hill and a portion of Indian Orchard too I
4 believe.

5 Q. Do any other current city council
6 members live in your ward?

7 A. No.

8 Q. Do any current school committee
9 members live in your ward?

10 A. No.

11 Q. Do you know what the racial or
12 ethnic make-up of the neighborhood you live in
13 is?

14 A. I don't know it. It's definitely
15 mixed and it's definitely changing. I would
16 guess it's probably more white than black or
17 Hispanic. But the black population is growing
18 or has grown maybe in the last five or ten years
19 as well as the Hispanic population, but more so
20 the black.

21 That's just an educated guess too.
22 I'm traveling the neighborhood.

23 Q. Do you know the racial or ethnic
24 make-up of Ward 2?

0013

1 A. No.

2 Q. Let me go back for a minute to just
3 a question that I forgot to ask you earlier.
4 Other than your lawyer did you speak with anyone
5 about your testimony today?

6 A. I spoke with the previous or the
7 councilors who have testified previously. Not
8 necessarily what was going to be testified just
9 about how long they were here and, you know,
10 general conversation.

11 Q. Who did you speak to?

12 A. Councilor Rooke and Councilor
13 Tosado.

14 Q. When did you speak to them?

15 A. Last night.

16 Q. Did you discuss any of the
17 substance of your testimony?

18 A. No.

19 Q. What did they tell you?

20 A. They were here for approximately
21 three hours, that it was very easy conversation

22 during that time. Really that was about it.

23 Q. What's your current employment?

24 A. I'm a housewife/homemaker or city

0014

1 councilor I guess.

2 Q. Do you have children?

3 A. I do.

4 Q. How many?

5 A. I have three boys.

6 Q. That's a full-time job I can

7 imagine.

8 A. It definitely has its moments.

9 Q. Before you were a full-time mother

10 and a city councilor what was your profession?

11 A. I was a school teacher.

12 Q. Where did you teach?

13 A. The High School Commerce here in

14 Springfield.

15 Q. For how long?

16 A. For about two and a half years.

17 Q. What grade?

18 A. Ninth.

19 Q. And before you were a teacher?

20 A. I worked as a coordinator and

21 educator in an adult training program here in

22 Springfield.

23 Q. For how long did you do that?

24 A. That was probably about four and a

0015

1 half years.

2 Q. Before that?

3 A. I worked as a receptionist for a

4 chiropractic office. That was about two and a

5 half years. And I cared for my grandparents who

6 both were diagnosed with Alzheimers for about

7 six years prior to that.

8 Q. That's very difficult.

9 A. It had its moments. With a big

10 family there was lots of support.

11 Q. Are you involved in any community

12 organizations?

13 A. I'm a member of the Italian Women's

14 Club here in the City of Springfield. I

15 participate in the Ward 2 Democratic Committee,

16 I'm involved in the East Springfield

17 Neighborhood Council. Those are all that come

18 to mind at this moment.

19 Q. Are there any organizations aside
20 from the ones that you just mentioned that you
21 have been involved in in the past?

22 A. Nothing that comes to mind.

23 Q. You said you were involved with the
24 East Springfield Neighborhood Council. What's
0016

1 your involvement?

2 A. Really just participating in the
3 monthly meetings.

4 Q. What's the role of the neighborhood
5 council?

6 A. They help advise the city, the city
7 council on special permits or zone changes that
8 are happening in their neighborhood as well as a
9 conduit to the police department, the code
10 enforcement department in the City of
11 Springfield of issues that are going on in that
12 particular neighborhood, and community
13 involvement by the residents of that
14 neighborhood.

15 Q. Can you give me an example of some
16 of the special permits and zone changes that the
17 council may consider?

18 A. They range from allowing storage of
19 a gas tank on a particular property for a gas
20 station that needs to be approved; whether or
21 not a particular piece of property is zoned
22 appropriately for a particular type of business
23 such as if it's in a residential neighborhood is
24 it appropriate to put a convenience store there.
0017

1 Anything that needs a drive up needs to come
2 before the city council for approval, things of
3 that nature.

4 Q. And what about an example of things
5 that you or rather that the neighborhood council
6 would advise the Springfield police about?

7 A. Oh, they range from incidents as
8 having basketball hoops left in the street that
9 kids were playing with, or abandoned houses that
10 should be monitored for squatters, to places
11 that have had break-ins or incidents of
12 destruction in their house, vandalism of their
13 car.

14 Sometimes they get more action if
15 the resident goes to the neighborhood council
16 and then that council approaches the police
17 department with a group of issues similar. It
18 seems to have more impact on what happens as far
19 as following through.

20 Q. Are there any things that you
21 haven't described that you also considered to be
22 primary roles of the city council?

23 A. Not that I think of at this time.

24 Q. When did you first run for
0018

1 political office?

2 A. 2001.

3 Q. What position were you running for?

4 A. City council.

5 Q. Did you win?

6 A. Yes.

7 Q. Against how many other candidates
8 did you run?

9 A. I don't remember. I don't think
10 there was a primary that year so there would
11 have been less than 18, but I can't say that for
12 sure.

13 Q. Do you remember where you finished
14 in the race?

15 A. I finished third that year.

16 Q. Do you remember of the candidates
17 who were you running how many were incumbents?

18 A. All of the incumbents ran so nine
19 of however many were running were incumbents.

20 Q. So you ran for city council in
21 2001, it was your first campaign?

22 A. Yes.

23 Q. And you won placing very high in a
24 field that was very heavy with incumbents?

0019

1 A. Yes.

2 Q. What do you attribute your success
3 to?

4 A. I was involved in every possible
5 neighborhood function not only in East
6 Springfield but everywhere throughout the city
7 to get my name out there, but I also think the
8 notoriety of my family name helped with that.

9 I also used the media and the

10 newspaper for press releases to try to get
11 messages across about how I might be able to do
12 things differently. And I am related to
13 Mayor Michael Albano -- former Mayor Michael
14 Albano as him and my mother are first cousins.
15 At the time I think that might have helped, I
16 don't know for sure.

17 I can't say that would be the exact
18 case now, but, you know, the association was
19 made during that political campaign that we were
20 related so I would say that probably
21 contributed.

22 Q. Do you think that your race or
23 ethnicity had anything to do with your success?

24 A. I think being a female helped me.

0020

1 I don't know if anything else came into play.

2 Q. You say you used the media for
3 press releases?

4 A. Uh-huh.

5 Q. Did you pay for either radio or
6 television time?

7 A. I did.

8 Q. What did you primarily use or did
9 you use both?

10 A. I don't think I used radio during
11 my first election, I used TV and newspaper
12 advertisement.

13 Q. Did you raise money for your --

14 A. I personally did not but the
15 committee that was organized on my behalf did.

16 Q. About how much?

17 A. I think it was around \$30,000 that
18 year.

19 Q. About how much of that did you
20 spend?

21 A. Probably almost all of it.

22 Q. Can you describe the committee?

23 A. It was made up of family. My
24 mother was my campaign manager, my father was

0021

1 the treasurer, and I think those are the only
2 ones that had official roles. But I had aunts
3 and uncles, and my husband participated in
4 meetings, organizational meetings.

5 Q. How did your campaign raise money?

6 A. Fund-raisers.

7 Q. What kind of fund-raisers?

8 A. We had one at a friend's house in
9 Wilbraham, and I'm sure there were others but
10 they don't come to mind at this moment. I know
11 there were others, I just don't know during that
12 election where else we had them.

13 Q. Were the fund-raisers at your
14 friend's house in Wilbraham and others that you
15 don't necessarily remember your primary source
16 of fund-raising?

17 A. Yes.

18 Q. About how much were people donating
19 when they came to a fund-raiser?

20 A. It could range from \$25 because I
21 know we had one around that level. But the one
22 where we had at Wilbraham I think that was a
23 hundred dollars donation, and I would say that
24 most people gave what we requested at that time.

0022

1 Q. Did you raise money from
2 Springfield businesses?

3 A. It has to be a personal
4 contribution so I don't know that, but there
5 were probably people who owned businesses here
6 in Springfield that did contribute.

7 Q. Did you spend any of your own money
8 on your campaign?

9 A. I believe I donated about \$1500
10 that year to get things started.

11 Q. Do you know how your fund-raising
12 and spending compared to your opponents?

13 A. I would say it was about in the
14 middle of the pack.

15 Q. Why do you say that?

16 A. I know there were some who raised
17 much more than I did, and continued to have
18 bigger banks than I do, but I would also say
19 there were those who probably did not raise as
20 much funds, even some of the incumbents who
21 relied on other avenues to get re-elected such
22 as name of commission and things of that nature
23 as opposed to spending in advertising. So
24 that's just a guess, I fell in the middle of the

0023

1 pack.

2 Q. You said you paid for TV and
3 newspaper ads?

4 A. Uh-huh.

5 Q. About how much money do you think
6 went toward television?

7 A. Probably between maybe 5 and
8 \$10,000.

9 Q. Was that to run an ad that you
10 videotaped?

11 A. Yes.

12 Q. And what about newspaper?

13 A. Probably a couple thousand.

14 MS. ROSS: Can I have copies of
15 that made so I can look at it?

16 MR. CONNOLLY: Sure. You mean like
17 right now?

18 MS. ROSS: Yeah, can I just run and
19 I'll be right back.

20

21 (Short break taken)

22

23 MS. FRANCESCHINI: Back on the
24 record.

0024

1 Q. (By Ms. Franceschini) Of the money
2 that you raised do you know how much of that
3 approximately came from white residents of
4 Springfield?

5 A. I would say a majority, but again
6 that's just a guess. I haven't looked at the
7 list of the donors since they gave.

8 Q. Do you know approximately how much
9 came from African American residents of
10 Springfield?

11 A. I couldn't say.

12 Q. The same with Hispanic residents?

13 A. Right.

14 Q. What was your campaign strategy?

15 A. To convince the residents of the
16 City of Springfield that I could do a good job,
17 better than the one that was being done, and
18 that I had a vested interest as a life-long
19 resident as well as mother of -- well, at the
20 time it was two young children, as well as using
21 my background as a teacher and my MBA education
22 to address financial issues that are important

23 to the City of Springfield.

24 Q. You have a masters in business
0025

1 administration?

2 A. Yes.

3 Q. When did you receive that degree?

4 A. 1992 I think.

5 Q. Where did you get your degree?

6 A. Western New England College.

7 Q. When you were campaigning where did
8 you campaign?

9 A. Everywhere.

10 Q. Every neighborhood in the city?

11 A. To the best of my ability. Usually

12 I'd organize events whether it be a neighborhood
13 meeting or a civic association meeting or a
14 candidate's event.

15 Q. What neighborhoods did you spend
16 the most time in?

17 A. I'd spend a lot of time in my
18 neighborhood.

19 Q. Why?

20 A. Because they didn't have a
21 representative on the city council, and I felt
22 if they believed that I could be their
23 connection to city government we could have an
24 impact on where things went.

0026

1 Q. Do you think you got a lot of
2 support from people in your neighborhood?

3 A. Yes.

4 Q. What other neighborhoods did you
5 campaign in?

6 A. We did leaflet drops in East Forest
7 Park, Sixteen Acres, Hungry Hill, parts of the
8 south end, and Forest Park.

9 Q. Going through those neighborhoods,
10 you said you did leaflet drops East Forest Park,
11 Sixteen Acres, Hungry Hill, the south end, and
12 Forest Park?

13 A. Uh-huh.

14 Q. Do you know the racial or ethnic
15 composition at East Forest Park?

16 A. I would say it's probably majority
17 white, and then very diverse after that as far
18 as the make-up including Russian and Vietnamese.

19 Q. And Sixteen Acres?

20 A. Again, probably mostly white, but
21 also having Hispanic and blacks, African
22 Americans who live there.

23 Q. What about Hungry Hill?

24 A. I would say probably 40 percent

0027

1 white, and then the rest broken up between
2 Hispanic and African Americans; probably more
3 Hispanic in Hungry Hill than African Americans.

4 Q. What about the south end?

5 A. Very diverse, there's probably an
6 equal racial breakup in that neighborhood.

7 Q. And Forest Park?

8 A. Predominantly white but mixed.

9 Q. Did you do anything else to
10 campaign?

11 A. We had mailings. That probably
12 encompassed all the activities that I
13 participated in.

14 Q. Who did you mail to?

15 A. I believe we had a mailing directed
16 particularly towards seniors as well as the
17 voters who had participated in the last five
18 elections, or some arrangement, it could have
19 been the last two elections or less where they
20 paired down those who had voted in all of the
21 last number of elections whatever it was at that
22 point in time.

23 I believe we did a mailing just to
24 women voters, registered voters, and a Ward 2

0028

1 mailing.

2 Q. Anything else that you did while
3 campaigning that I haven't covered?

4 A. Not that I can think of. Walked in
5 parades and whatever events that were scheduled
6 that was relative to city government I tried to
7 participate in, but nothing out of the ordinary.

8 Q. Do you know how your campaign
9 strategy compared to other city councilor
10 candidates, campaign strategies in terms of
11 where you campaigned?

12 A. Well, I know because I spent a lot
13 of time in my own neighborhood relying on their
14 support was different than anybody else's

15 because I was the only candidate from that
16 neighborhood at the time. So I don't think we
17 saw as many of the other candidates as often as
18 they saw me.

19 **Q. Is there a tendency among**
20 **candidates to campaign in any particular**
21 **neighborhoods that you're aware of?**

22 **A. They tend to campaign in the**
23 **neighborhoods that have the higher voter turnout**
24 **in my opinion.**

0029

1 **Q. What neighborhoods were those?**

2 **A. I believe Ward 7 is the highest.**
3 **Ward 6 may be second, and Ward 2 may be third of**
4 **the eight that we have.**

5 **Q. And generally what's the racial or**
6 **ethnic composition if you know it of Ward 7?**

7 **A. I don't know it, but I would guess**
8 **predominantly white.**

9 **Q. What about Ward 6?**

10 **A. The same.**

11 **Q. Who do you consider your support**
12 **is?**

13 **A. My family.**

14 **Q. And after your family?**

15 **A. I don't know if there is one after**
16 **my family. Even with that said I'm not sure I**
17 **believe that a consistent support base outside**
18 **of my family base exists politically.**

19 **Q. Can you identify who those people**
20 **are by any category?**

21 **A. I mean, I relied on the people of**
22 **East Springfield to carry me through past**
23 **elections, even the second one that I ran in.**
24 **But other than that, you know, I wouldn't say I**

0030

1 **target any particular entity or group, or**
2 **continually see them participating in any**
3 **functions that I would say they were my core and**
4 **couldn't win without them.**

5 **Q. If you were to -- if you can, if**
6 **you were to tell me about what percentage of the**
7 **people that you think support you are white what**
8 **would you say?**

9 **A. 60 percent.**

10 **Q. And what about African American**

7 A. Small. But I would also clarify
8 that by saying when you get a phone call or a
9 message on your machine you don't necessarily
10 know the race of the person who's on the other
11 end, and I have gotten phone calls over the
12 course of my tenure as a city councilor as the
13 issues come up stating support for that so...

14 Q. Do you think that your support of
15 ward representation has cost you any support
16 among white voters?

17 A. No.

18 Q. Have you done any studies of that?

19 A. No.

20 Q. Any polls?

21 A. Nope.

22 Q. Have you ever conducted a poll for
23 your campaign?

24 A. No.

0033

1 Q. When you ran for city council in
2 2001 what were the issues that you ran on as the
3 platform of your campaign?

4 A. One press release is I would
5 support ward representation. Another one was
6 that I would be a voice for the neighborhood so
7 that they would be heard on the city council
8 floor when issues came up in front of them.

9 I'm sure there were others, but
10 those two are the ones that stick out at this
11 point in time.

12 MR. CONNOLLY: Excuse me. Is the
13 press release in the folder of documents
14 that you gave us?

15 THE WITNESS: Yes.

16 MR. CONNOLLY: The press release on
17 ward representation?

18 THE WITNESS: Yes. It could be.
19 There were a couple of them in there, I
20 don't know if that one was one of them

21 Q. (By Ms. Franceschini) You ran on a
22 platform that you would be -- in part that you
23 would be a voice for the neighborhoods?

24 A. Uh-huh.

0034

1 Q. Do you think the neighborhoods
2 lacked a voice on the city council?

3 A. Yes.

4 Q. Why do you think that?

5 A. I think that when you have a
6 council made up of members who are predominantly
7 from one particular neighborhood as much as any
8 councilor tries to participate in the events
9 that are happening in the other neighborhoods of
10 the city they don't necessarily get a true feel
11 of what is happening in that neighborhood as an
12 occasional visitor.

13 I also feel that you don't realize
14 the impact of a special permit or a zone change,
15 maybe not the immediate but long-term where
16 those people who travel the roads and are in the
17 neighborhoods might have a better idea of how a
18 particular business may impact that
19 neighborhood, and so you don't also get that
20 perspective.

21 Q. Can you think of any examples where
22 you think a particular neighborhood lacks a
23 voice on the city council?

24 **A. I know the Indian Orchard**

0035

1 neighborhood has never had a representative on
2 the city council. And I believe or my feeling
3 is that it's been let go, not enough of funds
4 has been dedicated in that particular
5 neighborhood to keep it revitalized as well as
6 maybe even dedicating code enforcement and other
7 city personnel to address the issues that are
8 happening in there.

9 And I would say to a certain extent
10 it's because there's nobody banging on the doors
11 of those department heads saying we need you
12 here today, we need this addressed, we're
13 looking for this. Other organizations have
14 stepped up, like there's an X Main or X Indian
15 Orchard/Main Street partnership now that has
16 become very vocal in the Indian Orchard city
17 council.

18 But if they don't work together
19 then you end up having two entities fighting as
20 opposed to working towards the same means;
21 where if they both went to an elected official
22 that person could then weed through and make a
23 representation, a presentation on behalf of the

20 funds or helping to obtain funds to bring back
21 to the city from the state government.

22 Q. What was the outcome of that?

23 A. I lost.

24 Q. You're currently running for city

0038

1 council?

2 A. I am.

3 Q. Why are you running again?

4 A. Even though there's a control board
5 in place and making most of the decisions that
6 exist eventually they will be gone and I would
7 like to be a part of helping the city have a
8 solid foundation to move forward.

9 Q. You are clearly on the record as
10 supporting ward representation?

11 A. Clearly.

12 Q. What's wrong with the at-large
13 system?

14 A. I think in order to encourage
15 people to participate in an election you need to
16 have a manageable area, and for any potential
17 candidate to look at trying to garner votes
18 across the entire city is an immediate turn off
19 as well as after examining what other people or
20 previous candidates have spent in order to
21 either attain their seat on the council or
22 become a councilor that knowledge that you need
23 to raise those types of fund is probably the
24 second area that would turn a potential

0039

1 candidate off. I could go on.

2 Q. Please do.

3 A. I believe that as I've stated in
4 the past that a councilor who lives in one
5 neighborhood does not necessarily get the full
6 understanding of the impact of a special permit
7 having not lived in that neighborhood, or the
8 importance of dedicating funds to a particular
9 neighborhood if you don't participate in the
10 activities that are going on in that
11 neighborhood on a regular basis.

12 So I think that those would be
13 reasons why what we have today do not do the
14 best job of serving the City of Springfield
15 because up until recently when the city has had

16 lots of financial difficulties you haven't seen
17 elections with lots of candidates necessarily
18 running to challenge the incumbents, and I would
19 say they were turned off because of the awesome
20 task it would be to run citywide.

21 Q. You mentioned a couple times that
22 you think that neighborhoods are not -- either
23 don't have a voice or are not represented on the
24 city council. Is that an accurate

0040

1 characterization

2 A. Absolutely.

3 Q. You mentioned Indian Orchard as one
4 of those neighborhoods?

5 A. Yes.

6 Q. Are there other neighborhoods that
7 you would say fall in that category?

8 A. I would say the north end up until
9 recently. But I would say to that that they've
10 gotten very organized and they've gotten
11 outspoken recently, and not that they have a
12 representative on the city council but they have
13 enough of organizations who are working together
14 to bring attention to the events that happen in
15 their particular neighborhood.

16 Q. Other neighborhoods other than the
17 north end that you think lack a voice?

18 A. Probably the south end because they
19 have the highest crime rate probably in
20 Springfield, or one of the highest crime rates.
21 As a residential neighborhood feel that more
22 should be done in that neighborhood to address
23 these issues and it's not.

24 It could be because there's not

0041

1 that one person continually knocking on the
2 doors saying we need the police, or we need the
3 funds and things of that nature, and I think
4 that has an impact on it.

5 Q. What's the racial or ethnic
6 composition of the south end?

7 A. I would say it's probably equally
8 dispersed among whites, Hispanics, and black.

9 Q. You said it has the highest crime
10 rate in the city?

11 A. I believe it's one. I know that

12 the Metro section, the downtown area is one of
13 the highest. But the south end would come very
14 close if not beat them on a regular basis. And
15 for a residential neighborhood it probably is
16 the highest.

17 Q. You said earlier that more should
18 be done in the south end?

19 A. Uh-huh.

20 Q. What kinds of things do you think
21 should be done that the city council could be
22 involved in?

23 A. Economic development is one of the
24 things. They have quite a bit of abandoned

0042

1 property and, therefore, encouraging and
2 supporting businesses that would want to come to
3 the City of Springfield and produce a business
4 which, therefore, generates tax revenue which
5 support having additional police and fire which
6 can then be on the streets to monitor what's
7 going on. But they also have a density issue so
8 there are a lot of houses and apartment
9 buildings in a small space.

10 So that would be a long range plan
11 on how the city would have to address that, and
12 maybe it means demolishing and using them as a
13 parking lot. So when police personnel and fire
14 personnel try to address those issues there's a
15 way to maneuver around those neighborhoods and
16 that doesn't currently exist.

17 Q. Are there other neighborhoods that
18 you think don't have a voice or under
19 represented on the city council?

20 A. That probably summarizes.

21 Q. If I were to characterize it
22 differently as wards or parts of the city would
23 anything else come to mind?

24 A. No.

0043

1 Q. Do you think the at-large method of
2 election disenfranchises minority voters?

3 A. Probably to a certain extent.

4 Q. How?

5 A. Well, I heard some minority leaders
6 in the communities stand up and say if you don't
7 speak my language you can't represent me, and I

8 believe that to a certain extent and I kind of
9 correlate to the fact that if you don't live in
10 my neighborhood or my backyard you don't exactly
11 know what's going on.

12 So if they don't have that
13 connection no matter how they may try it with
14 the other members of the city council it's not
15 necessarily the same as having the person who
16 lives there or grew up there or understands the
17 culture.

18 Q. Are there any other ways you think
19 the at-large system disenfranchises the minority
20 voters?

21 A. I think getting involved and having
22 the candidates to represent them because it is
23 citywide and needing thousands of dollars in
24 order to participate and knowing they're

0044

1 potentially going to be representing the low to
2 middle income and may not be able to raise those
3 types of funds to get their message out
4 citywide.

5 Q. You think that people in other
6 words are discouraged from running because they
7 don't think they can raise the money necessary
8 to run?

9 A. I do believe that.

10 Q. So you mentioned generally that you
11 heard that minority leaders say that if someone
12 doesn't speak their language they can't
13 represent them, and you correlate that to your
14 point about coming from a neighborhood and
15 representing that neighborhood?

16 A. Yup.

17 Q. And also the difficulty of raising
18 money in low income neighborhoods where
19 candidates might live and where people who their
20 support base might be?

21 A. Correct.

22 Q. Are there other ways that you think
23 the at-large system disenfranchises minority
24 voters?

0045

1 A. Not that come to mind at this time.

2 Q. Is it fair to say that you made
3 ward representation one of the central issues of

4 your campaign in 2001?

5 A. I was going to speak about it
6 whenever the crowd was interested in hearing
7 about that, but I would say that I was more
8 focused on being an independent voice and a
9 voice for the neighborhoods than the promise of
10 being able to change the at-large system.
11 Although I did say that I would do what I could.

12 Q. Do you see a connection between
13 being a voice for the neighborhood and being an
14 advocate for ward representation?

15 A. To a certain extent because if the
16 neighborhoods have their voice then it's getting
17 their concerns heard in front of the city
18 council. And I can only do so much though, and
19 I think any councilor can only do so much no
20 matter how much they want to actually represent
21 a particular neighborhood.

22 I feel comfortable about the things
23 that happen in East Springfield because I live
24 there, I travel through there on a regular

0046

1 basis, and so when issues come up I have no
2 problem speaking about them.

3 But when an issue comes up in
4 Sixteen Acres I'm only in that part of the city
5 on occasion, and, so, therefore, I won't fully
6 understand the impact of a drive-through window
7 at a Burger King.

8 So I do think they correlate and if
9 and when all neighborhoods have representation
10 on the city council then they'll have their
11 voice, and if it's through ward representation
12 that probably will be the easiest way to have
13 that attained.

14 Q. After you were elected in 2001 what
15 did you do as a city councilor to push forward
16 the ward representation issue?

17 A. I believe it was in 2003 so after a
18 full year of sitting and learning the processes
19 and procedures I presented an ordinance to
20 change the make-up of the city council from an
21 at-large to a ward. I believe Councilor Tosado
22 may have been a co-sponsor of that.

23

24 (Exhibit Number 2, Order for city council,

5 not passed the first time that I had presented
6 it I believe that it was still an issue that
7 needed to be addressed in order to help the City
8 of Springfield encourage voter participation,
9 encourage candidate participation, and believed
10 that if change happened on the city council by
11 luck there would be support for a ward
12 representation ordinance to be presented to them
13 again, and hope that as discussion pursued we
14 would all come to an agreeable make-up.

15 **Q. If the system were changed to a**
16 **ward representation system do you think that**
17 **minority voter turnout would increase?**

18 **A. Eventually. I think that some of**
19 **it has to do with confidence in government, and**
20 **in order to gain that that takes time. So that**
21 **would have an impact.**

22 I believe also that the interest of
23 candidates in particular wards would have to
24 manifest itself because if you still just have
0057

1 one person running from that ward and the
2 neighbor of that resident still don't have any
3 choice then we're not necessarily doing justice
4 to the system of the democratic process where
5 you have choices on who you want to represent
6 you.

7 But you can't force people to run
8 so you don't know what the impact would be or
9 how quickly people would become engaged in
10 representing that particular neighborhood, or a
11 particular neighborhood.

12 MR. CONNOLLY: Could I ask a
13 follow-up question? Do you think that
14 increased voter turnout among minority
15 voters would enable political
16 organizations when predominantly minority
17 districts to become better organized or to
18 become more effective?

19 THE WITNESS: I do. I think that
20 knowledge is part of becoming an effective
21 organization, and as hard as maybe some of
22 the organizations that try, whether they
23 be minority or otherwise, sometimes they
24 don't have that connection to get the

0058

1 information to let them have that impact.

2 So once they were to have a voice
3 the flow of information would be more free
4 and, therefore, give them the power and
5 information that they were looking for in
6 order to have a positive impact from their
7 neighborhood or the city.

8 Q. (By Ms. Franceschini) Even though
9 it might not happen immediately I understand you
10 saying, is it fair to say you think over time
11 that voter turnout would increase and that the
12 interest of candidates running in single member
13 districts would increase?

14 A. I believe. I think it's one aspect
15 of increased voter turnout on minorities. I
16 think education plays a big part of it too in
17 having minorities understand that their voice
18 does have an impact, and that doesn't
19 necessarily come from having a minority
20 candidate to choose from, but it does come from
21 educating the population on impact of
22 participating in the voting process.

23 Q. Do you think that the opposite is
24 true, that ward representation tends to

0059

1 discourage people from voting and from being
2 organized?

3 A. No.

4 Q. You mentioned that ward
5 representation disenfranchises people. Does
6 that disenfranchisement discourage people from
7 voting?

8 A. I think the choices that a person
9 has motivates or disenfranchises them, and when
10 they look at a slate of 18 candidates many or
11 some who they never met or know nothing about
12 has people decide whether or not they'll
13 participate, and I will say in many instances
14 won't participate. I don't know these
15 candidates, I don't like the other candidates
16 that I do know, therefore, I'm not going to
17 vote.

18 So to a certain extent, yes. I
19 don't know that ward representation again is the
20 answer to solving that problem because if you
21 only have that one candidate in that ward

22 running, you know, are you not still
23 disenfranchising the members of that
24 neighborhood be part of the election process?

0060

1 MS. FRANCESCHINI: Go off the
2 record.

3
4 (Short break taken)

5
6 MS. FRANCESCHINI: Back on the
7 record.

8
9 (Exhibit Number 3, Press release, marked)

10

11 Q. (By Ms. Franceschini) I'm handing
12 to you a document that has been marked as
13 Exhibit 3. Take a moment and look at that, tell
14 me if you recognize it.

15 A. Yes.

16 Q. What is it?

17 A. A press release.

18 Q. Did you put it out?

19 A. Yes.

20 Q. When?

21 A. I would guess it's during the 2001
22 campaign.

23 Q. This is a press release about ward
24 representation?

0061

1 A. Yes.

2 Q. And you're supporting it?

3 A. Yes.

4 Q. I'm just going to read from this
5 for a minute. I direct your attention to the
6 third line. It says, Many of the councilors are
7 more interested in protecting their council
8 seats than in their responsibility to open up
9 the political process and guarantee equal
10 representation for all of our neighborhoods. If
11 you examine the current City Council, it is
12 clear that the majority of the neighborhoods are
13 not being represented. Did you believe that
14 then?

15 A. Yes, absolutely.

16 Q. Do you believe it now?

17 A. Yes.

6 to other people address the issue of ward
7 representation, or it could have been some of
8 them prior to coming to the council meeting on
9 the night that it was going to come before the
10 council.

11 Q. Directing you to the first page,
12 fourth segment that's separated by lines, it
13 says, and correct me if I'm wrong as I read
14 **this, With at-large system there's a prohibitive**
15 **cost of running a citywide election.**

16 A. Correct.

17 Q. Did you believe that then?

18 A. Yes.

19 Q. And you still believe that?

20 A. Yes.

21 Q. The last section of the first page
22 says, **The current system allows for the dilution**
23 **of votes for minority candidates. And then**
24 **there's something in parenthesis that says, Due**

0068

1 to the 55 percent of the, and there's nothing
2 after that.

3 A. I could have lost my train of
4 thought, or had the other information about 55
5 percent of the voting population being from a
6 particular neighborhood, or being of a
7 particular racial background.

8 I don't know what that 55 percent
9 at this time represents, but I may have had that
10 piece of information with me then.

11 Q. Is it possible that that 55 percent
12 represents the percentage of the white voting
13 age population in Springfield?

14 A. It could be, yes.

15 Q. **Do you believe then that the system**
16 **diluted votes of minority candidates?**

17 A. Yes. If you have a city made up of
18 **a third, a third, and a third, and 55 percent of**
19 **the voters were of one ethnicity then obviously**
20 **you're not getting true representation of the**
21 **voting population. Somewhere along the way**
22 **something is happening that people are not**
23 **participating at the same level across the**
24 **racess.**

0069

1 Q. You still believe that the current

2 system dilutes minority votes?

3 A. Yes.

4 Q. The at-large system that is?

5 A. The at-large.

6 Q. I direct your attention to the
7 second page of the exhibit, the second portion
8 of that page says, Equitable representation of
9 the residents on the city council with racial
10 balance ward representation will move this
11 forward. Do you remember what you meant by
12 this?

13 A. By moving forward just because you
14 have a predominantly Hispanic or African
15 American community doesn't mean that the
16 candidate from that neighborhood or ward will be
17 of African American decent or Hispanic, but
18 you're more apt to have participation from more
19 of the residents in that ward so, therefore,
20 there will be more choices hopefully, and there
21 will be more minority representation as this
22 process continues to move forward as people
23 became engaged.

24 Q. You believe that both then and now?

0070

1 A. Yes.

2 Q. When you ran for city council in
3 2001 was Carol Lewis Caulton one of the people
4 who was also running for city council?

5 A. Yes.

6 Q. Do you know that Carol Lewis
7 Caulton avoided campaigning with certain people
8 in certain parts of the City of Springfield
9 because she perceived they weren't welcome?

10 A. I did not know that.

11 Q. Would it bother you to learn that
12 that were true?

13 A. That anybody felt uncomfortable
14 participating in campaigning, yes. I think that
15 would be unfortunate.

16 Q. Would it surprise you to learn
17 that?

18 A. A little bit, yes. I think when
19 neighborhoods get organized and are looking for
20 information about candidates everybody is
21 invited to participate, and to hear that other
22 candidates were given the perception that they

23 weren't welcome surprises me.

24 MS. FRANCESCHINI: We don't have
0071

1 any more questions for you today. We're
2 going to suspend the deposition and
3 reserve our rights to call you back if
4 need be in the future after the election.

5 MS. ROSS: I have a couple.

6

7 EXAMINATION BY MS. ROSS:

8

9 Q. Could you explain what you meant by
10 dilution again, I guess I didn't quite
11 understand.

12 A. That if you have a system where
13 you're voting all at-large and a majority of the
14 people who are voting do not represent the
15 entire make-up of the city then you're not
16 getting representation of all of the interests.

17 Q. So are you referring to turnout
18 that --

19 A. To a certain extent. If you don't
20 believe in the candidates who are running then
21 the turnout in any particular neighborhood or in
22 any particular race may not be what it could or
23 should or would have been under different
24 circumstances.

0072

1 Q. So the dilution relates to the
2 turnout?

3 A. Yes, but also in here is minority
4 candidates getting involved. That's not
5 necessarily I don't think what I was going for
6 in my comment here, but as far as engaging and
7 participating in the electoral process is their
8 belief that because you have 55 percent of the
9 vote coming from white they probably or may not
10 have as good of an opportunity to succeed as
11 another white candidate would.

12 I don't think that's what my
13 comments meant there, but I do think that's as a
14 true statement was then and would be now.

15 Q. Do you believe that those minority
16 persons who have run have not been elected
17 because, for example, white people didn't vote
18 fore them because they were minority?

19 A. In some cases I do believe that.

20 Q. Any particular cases?

21 A. I think it's the individual cases
22 of the voter and their perception of someone of
23 a particular race or ethnicity that plays part
24 in who and when they'll vote for.

0073

1 For example, my father will tell
2 you I think publically he looks for the people
3 he knows, he looks for the Italian names and
4 then he weeds through the rest. And I would say
5 that that's not necessarily an uncommon practice
6 for many people on how they vote.

7 So to that you bring a bias,
8 whatever your bias as a person is, and I think
9 that plays out on how people vote to the
10 candidates that they're going to support.

11 Q. So is it because they're a
12 minority, or because people are just not
13 familiar with them?

14 A. I think it's a combination of both.
15 I think people in society have prejudice so as a
16 black candidate I may not support you no matter
17 what you stand for, or as a white candidate and
18 I am of a minority ethnicity I might not vote
19 for you because I don't believe you can truly
20 represent me.

21 Q. Do you think that happened in the
22 City of Springfield?

23 A. I can't say I'd be able to prove
24 it, but I do think that that has supported where
0074

1 we are today and who has been elected.

2 MS. ROSS: Thank you.

3 MS. FRANCESCHINI: A couple more
4 questions.

5

6 FURTHER EXAMINATION BY MS. FRANCESCHINI:

7

8 Q. Is it fair to say that you've been
9 around politics for most or all of your life?

10 A. That's fair to say.

11 Q. So you have some knowledge about
12 the political scene in Springfield?

13 A. Some.

14 MS. FRANCESCHINI: That's it.

EXHIBIT C

0001

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF MASSACHUSETTS
3 C.A. No. 05-30080-MAP
4
5 *****
6 ARISE FOR SOCIAL JUSTICE, ET AL, *
7 Plaintiffs *
8 vs. *
9 CITY OF SPRINGFIELD and *
10 SPRINGFIELD ELECTION COMMISSION, *
11 Defendants *
12 *****
13
14 DEPOSITION OF: BUD WILLIAMS
15 CITY OF SPRINGFIELD LAW DEPARTMENT
16 36 Court Street
17 Springfield, Massachusetts
18 October 19, 2005 2:00 p.m.
19
20
21 GAYLE OHMAN
22 CERTIFIED SHORTHAND REPORTER
23 #1353S94
24

0002

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2
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0003

1	I N D E X	
2	WITNESS:	BUD WILLIAMS
3		
4	EXAMINATION BY:	PAGE:
5	Ms. Cohen	4
6		
7	EXHIBIT	PAGE
8	Exhibit Number 1, Subpoena.....	5
9	Exhibit Number 2, Distribution of city	
10	councilors list.....	39
11	Exhibit Number 3, Diagram.....	46
12	Exhibit Number 4, Affidavit.....	78
13	Exhibit Number 5, Declaration.....	86

14

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0004

1 (Deposition commenced at 2:00 p.m.)
2
3 BUD WILLIAMS, Deponent, having been duly
4 sworn, deposes and states as follows:
5
6 MS. COHEN: We will reserve all
7 objections except as to form, and motions
8 to strike until the time of trial. And
9 read and sign the transcript.
10
11 EXAMINATION BY MS. COHEN:
12
13 Q. Good afternoon, Mr. Williams.
14 A. Good afternoon.
15 Q. I am sorry you had to wait a little
16 bit, but we're doing the best we can.

11 A. No, I do not believe in that.

12 Q. So you've never used your own
13 money?

14 A. I don't believe in it.

15 Q. In your first campaign do you think
16 money was part of the reason you didn't get
17 elected?

18 A. No.

19 Q. Do you think you raised comparable
20 amounts of money to the other candidates?

21 A. Yes, it's comparable all things
22 being equal.

23 Q. Why do you think you didn't get
24 elected?

0031

1 A. I probably needed another three or
2 four months of door knocking and meeting more
3 people. You know, some people put a lot of
4 emphasis on money in campaigns.

5 I know you have to have money in
6 campaigns, but I'm more into meeting people and
7 hustling and doing all the events, and knocking
8 on doors and going door to door which I haven't
9 done it this campaign because I haven't had
10 time.

11 But I firmly believe in that. And
12 they'll tell you I'm a door knocker, I just
13 pound the pavement. And I think if I had a few
14 more months I could have met a few more people.
15 I only got beat by a hundred votes.

16 Q. Let me ask you this: In your first
17 campaign did you run on any particular platform?

18 A. No.

19 Q. Did you target any specific
20 communities?

21 A. I target my base which is black
22 community. I have to get my base first before I
23 go anyplace else.

24 Q. And were you well known in

0032

1 Springfield before you ran?

2 A. Like I said I was an athlete, all
3 American basketball player in high school, went
4 to college locally, played college basketball,
5 and taught school for two or three years in the
6 Springfield school system and was actively

7 involved in the Dunbar Community Center which
8 was the youth.

9 I've been involved with the youth
10 for 30 years so my name in the community has
11 always been there, first through coaching and
12 volunteering. That's where my name came from.
13 Giving back is where my name came from.

14 Q. So let me understand this. You
15 were fairly well known, you raised a decent
16 amount of money, you worked hard knocking on
17 doors, and you were not elected; is that
18 correct?

19 A. Uh-huh.

20 Q. And at the time you ran there was
21 another African American city councilor; is that
22 correct?

23 A. Yeah.

24 Q. And that was Morris Jones?

0033

1 A. Uh-huh.

2 Q. And do you think there were people
3 in the city that were concerned about having two
4 African American city councilors?

5 A. No. I blame the black community.

6 Q. And is it your position that race
7 did not play any role in that first election?

8 A. You know, race plays a role in
9 everything we do in America, it just does. Race
10 plays a role. Not to say race doesn't play a
11 role is just like saying race doesn't exist. It
12 does exist. But what I will say I don't think
13 because I was black that I wasn't elected.

14 I can say that. I can honestly
15 say that, and I'll say it again. If the
16 minority community had voted and will continue
17 to vote we can elect two and three.

18 And the city wasn't as brown back
19 then as it is now. We have elected two people
20 to the counsel, Carol Caulton -- Lewis Caulton
21 and myself.

22 Q. Let me get to that in a minute. Do
23 you get the majority of the African American
24 vote?

0034

1 A. I have had the majority of African
2 American vote even when I wasn't elected. I

3 topped the black vote since I started running
4 which was in 1989. I topped the black community
5 every single year.

6 Q. And would it be fair to say that
7 you do not get the majority of the white vote?

8 A. Well, I mean, that's fair to say.
9 I don't expect to.

10 Q. Do you know what percentage of your
11 vote comes from the white community?

12 A. No, I haven't been that scientific.

13 Q. Do you know what percentage of your
14 vote comes from the Latino community?

15 A. I haven't been that scientific.

16 Q. When you run your campaigns do you
17 target specific voters?

18 A. Yeah, I target black people and
19 poor people.

20 Q. And what wards would those be
21 primarily?

22 A. Ward 4, Ward 1, Ward 3, parts of
23 Ward 5.

24 Q. Do you know if you have won Ward 5
0035

1 in the past?

2 A. Yeah. Yeah, I have.

3 Q. Have you won at every --

4 A. I haven't won every time. Out of
5 nine elections --

6 MS. ROSS: Can I just stop you?
7 When you say won, you mean the top nine,
8 or the top vote getter?

9 MS. COHEN: Good question.

10 Q. (By Ms. Cohen) I mean, did you get
11 a majority of the votes of people in Ward 5?

12 A. Oh, yeah.

13 Q. Were you the top vote getter in
14 Ward 5?

15 A. Sometimes I have been and sometimes
16 I haven't been.

17 Q. When you do stand-outs in
18 communities do you have black people standing
19 out in the white communities?

20 A. Yeah, I take my team wherever I go.
21 But I have black people, we stand all over the
22 city. Yeah, there's just some white folks --
23 there's some good white folks that stand out,

24 but it's preliminary black folks.

0036

1 Q. Would you say it's primarily black
2 folks who represent the core of your campaign?

3 A. Oh, yeah, absolutely.

4 Q. Do you have a campaign
5 headquarters?

6 A. No.

7 Q. Where do you operate out of?

8 A. We determine that a week before the
9 election. I'm not being facetious -- years ago
10 I did. Just now basically a week or two before
11 the election we grab an office, other than that
12 I can't afford to have a campaign headquarters.

13 Q. In your last election, which would
14 have been 2003, do you know how much money you
15 raised in that campaign?

16 A. Twenty something, 22, something. I
17 don't know exactly.

18 Q. That's fine.

19 A. 20's, that's about it.

20 Q. Somewhere in the low 20's?

21 A. Yeah, maybe 20's. I think that was
22 it.

23 Q. Do you buy television ads?

24 A. Yes.

0037

1 Q. Do you think it's important to have
2 television ads?

3 A. Yeah. Some -- a presence.

4 Q. What is the importance of the
5 television ads?

6 A. You know, politics is just name and
7 getting your name out and getting your message
8 out, and no matter whether you want an at-large
9 or district you got to get your message out.
10 And I just think it's radio, television,
11 newspaper, community newspapers, public forums,
12 coffee hours.

13 Q. All of those?

14 A. All of those.

15 Q. You need some degree of white
16 support to get elected; is that correct?

17 A. Well, yeah. Everybody needs
18 everybody.

19 Q. Do white candidates need black

9 Q. So you are telling me that in
10 Springfield whites tend to vote for whites,
11 blacks tend to vote for blacks?

12 A. I'll go one step further.

13 Q. Okay.

14 A. Blacks tend to vote for blacks in a
15 greater degree than whites vote for whites.
16 What I'm saying is that I get one out of
17 every -- one out of every five or six votes in
18 the black community I would get, okay? There's
19 not a white counselor that gets that in any
20 white community. Maybe they get one out of
21 eight or nine. That's a fact.

22 Q. Have there generally been more
23 whites who have voted in elections than blacks?

24 A. Whites tend to vote more in

0055

1 elections because -- you know, you fight these
2 cases all the time. Minority people have lost
3 hope in the system itself. It can be
4 presidential elections are down, gubernatorial
5 elections are down, state rep races are down.
6 They're all down.

7 I mean, 50 percent of the people
8 voted in the presidential election. Less than
9 50 percent voted. Black people have just turned
10 off from the system, and what do we do to get
11 them to vote? I wish I had to answer because
12 that's what it takes.

13 If we vote and vote numbers as
14 we've done in the south well, the trends would
15 flip flop. Used to couldn't vote in the south,
16 now they vote in the south. Up north you always
17 could vote, no dogs at any polling places, no
18 sheriffs, and you vote.

19 Q. Let me ask you something: If
20 someone were to show you that under a ward
21 representation system, any ward representation
22 system, that more African Americans and Latinos
23 would vote would you been willing to give it a
24 try?

0056

1 A. I'd have to see the data first
2 because I know -- I spent a lot of time in the
3 south. A lot of communities are doing away with
4 district because district races polarized

5 communities. You're not part of the fabric.
6 Just like Roxbury and Boston, it's a district.
7 And when a counselor from Roxbury calls for a
8 press conference nobody shows up because he
9 doesn't represent the city.

10 Q. Let me ask you a couple of
11 questions about Springfield. Do you see your
12 role or part of your role as a city councilor as
13 being to represent the interests of the African
14 American community in Springfield?

15 A. Absolutely.

16 Q. And are there particular issues
17 that have an impact on Springfield's African
18 American Community?

19 A. Needle exchange.

20 Q. What other issues?

21 A. Unemployment, public safety,
22 economic development, blighted properties all
23 over poor communities.

24 Q. Let me stop you there, I just want
0057

1 to go over them. You said needle exchange,
2 blighted properties, unemployment.

3 A. Let me put it -- let me reverse
4 that order. The number one thing I see is
5 economic development, creating homeownership,
6 creating wealth in these districts.

7 Q. Let me stop you here. Do you think
8 that all your colleagues on the city council
9 have the same interest in these kinds of issues
10 as you do?

11 A. They may have the same interest.
12 Do they have the same passion I have? No.

13 Q. And do some of these issues affect
14 the minority communities more than the white
15 communities?

16 A. Well, lack of wealth, of course.

17 Q. And in the past, particularly prior
18 to your getting on the city council, has there
19 been a lack of responsiveness on the part of
20 some of the elected officials to the issues of
21 concern to the minority communities?

22 A. I would say there's been a lack of
23 leadership issues that affect the city in
24 general. I figure as the minority community

0058

22 been pretty good support in the community.

23 Q. And what is the purpose of the zone
24 changes in the special permits?

0060

1 A. Just a few months ago a Hispanic
2 restaurant, a new Hispanic restaurant, Calderons
3 or something, opened up in the Six Corners which
4 is part of Ward 4 I guess. And they needed a
5 special permit to have a drive-through window.

6 This created Hispanic restaurant,
7 this special permit was granted and they have a
8 thriving restaurant now. Those are the kinds of
9 things that there's tremendous support on this
10 council for.

11 Q. Has there been a history of racial
12 problems in the City of Springfield?

13 A. No different than any other city.

14 Q. And have there been problems around
15 police brutality?

16 A. Yup. Absolutely.

17 Q. Have there been problems around
18 racial profiling?

19 A. Oh, yeah.

20 Q. Have there been problems in
21 employment?

22 A. Oh, yeah.

23 Q. And have there been problems in
24 housing?

0061

1 A. Absolutely.

2 Q. And how about education, have there
3 been problems in education?

4 A. Yeah, teacher disparity.

5 Q. What do you mean by there being a
6 disparity?

7 A. Learning achievement. Whites tend
8 to learn at a faster rate than blacks and
9 Hispanics. The achievement gap, disparity in
10 that gap.

11 Q. Is that reflected in the MCAS
12 scores?

13 A. Oh, absolutely. Yeah.

14 Q. Is it reflected in dropout rates?

15 A. Yup.

16 Q. And is it reflected in high school
17 graduation rates?

18 A. Yeah.

19 Q. Has it been your position to
20 advocate for more minority representation?

21 A. Absolutely.

22 Q. Did you recently write a letter
23 urging the control board to appoint a person of
24 color to be on the board?

0062

1 A. Or a woman.

2 Q. And what was the reasoning for your
3 request?

4 A. I felt it had five white males on a
5 control board that is dealing with all the hot
6 button issues in the City of Springfield. If
7 we're going to -- the city is going to represent
8 the masses of people then it should be reflected
9 in Mayor Romney's control board.

10 Q. Have you gotten any response to
11 your request?

12 A. He absolutely responded back. He
13 thanked me but he went on and named an attorney
14 from Holyoke which I have no -- I mean, he's a
15 decent individual. I don't have anything
16 against the attorney from Holyoke, but Mayor
17 Romney is insensitivity.

18 Q. And the person that Governor
19 Romney named was a white person?

20 A. From Holyoke. An attorney too.

21 Q. And what is the Race and Human
22 Relations Committee?

23 A. Which one?

24 Q. Is there a Race and Human Relations

0063

1 Committee of the city council?

2 A. There's a subcommittee.

3 Q. A subcommittee. Does that
4 committee still exist?

5 A. It's Dominic Sarno is current
6 chairperson.

7 Q. And when was that committee
8 established?

9 A. We established that in -- I forget
10 the year. That was part of --

11 Q. Was it 1997?

12 A. I co-sponsored that. I was part of
13 to sponsor that committee.

23 and what they feel because the make-up is black
24 and Hispanic. I couldn't say that because
0071

1 there's Cheryl Lavera, state representative,
2 she's Latino and she's against needle exchange.

3 You can't paint everybody with the
4 same brush so to speak and just say that for a
5 fact. I don't know that for a fact.

6 Q. I'm going to take a short break
7 here, and I have a few more things, but perhaps
8 we can wrap up fairly soon.

9

10 (Break taken)

11

12 MS. COHEN: Back on the record.

13 Q. (By Ms. Cohen) Mr. Williams --

14 A. Yes, attorney.

15 Q. We discussed just a little bit
16 earlier that there was a short period of time
17 when you served on the city council with Carol
18 Lewis Caulton; is that correct?

19 A. That's correct.

20 Q. And Miss Caulton is African
21 American?

22 A. That is correct.

23 Q. And she was first elected in 2001?

24 A. 2001, right.

0072

1 Q. And the year she was elected was
2 there a white woman incumbent who dropped out
3 late in the race?

4 A. I think so. Yeah.

5 **Q. And did Miss Lewis Caulton do a**
6 **good job when she was on the city council?**

7 **A. Absolutely.**

8 Q. And she was not reelected when she
9 ran again; is that correct?

10 A. No, unfortunately that's correct.

11 Q. And did she campaign hard for her
12 reelection?

13 A. I would say from my observation I
14 thought she could do a little more.

15 Q. And why -- she was not reelected;
16 correct?

17 A. She was not. You said why?

18 Q. I'm sorry, that's my next question.

15 A. No.

16 Q. But it's your position that you'd
17 gotten the majority of the African American
18 vote?

19 A. Uh-huh.

20 Q. And do you know why it has --
21 excuse me, why it took until 2001 for Jose
22 Tosado to be the first Latino on the city
23 council?

24 A. I don't know why.

0075

1 Q. Do you have any opinions as to why?

2 A. Well, Jose has a large Hispanic
3 family, grew up in the north end similar to me.
4 His father was just an average individual. His
5 father used to own a little candy store. My
6 kids used to go to his father's store because
7 they stayed with my grandmother up at Mason
8 Square.

9 And Jose worked extremely hard.
10 He worked and worked and worked. He did a lot
11 of door knocking. He recruited his friends,
12 relied on his family, and he ran -- he had run
13 previous. He was elected to the school
14 committee, he was appointed.

15 So I just think that he was in my
16 opinion one of the better Hispanic candidates
17 that was then ever run in the City of
18 Springfield.

19 Q. And is it your position that other
20 Hispanic candidates were not qualified to get on
21 the city council?

22 A. In my opinion? As in any ethnic
23 group that runs whether they're white, black,
24 Hispanic, everyone is not -- in my opinion does

0076

1 not have the same qualifications that it takes
2 to get elected to public office.

3 It's very difficult in itself. And
4 Jose was defeated the first time he ran. Danny
5 Kelly is white, he was defeated the first time
6 he ran. Dominic Sarno was defeated the first
7 time he ran. Angelo Puppolo was defeated the
8 first time he ran.

9 I served with Billie Boyle who's
10 now Judge Boyle, he was defeated the first time

11 he ran. It's very difficult. And Jose ran, was
12 defeated, got his name out there, and then he
13 was elected so I just think he did -- he did
14 enough of putting pieces to the puzzle in place
15 so he could put the puzzle together.

16 Q. Is it your position then that
17 incumbents have a much easier time to get
18 elected than people running for seats from
19 outside?

20 A. Well, there's an advantage to an
21 incumbent. I mean, I've run as an incumbent and
22 run not as an incumbent. And, absolutely,
23 that's American politics, incumbent has the
24 advantage.

0077

1 Q. Is it fairly uncommon for an
2 incumbent to lose an election?

3 A. It's fairly uncommon for voters of
4 this city to vote incumbent out, the voters.

5 Q. Yet the voters did vote Carol
6 Caulton Lewis out; is that correct?

7 A. She didn't get enough votes. She
8 was voted out.

9 Q. And what role do you think race
10 played in her defeat?

11 A. You know, I always reflect on
12 myself and what I can control. And I just think
13 in terms of the black community I have a better
14 handle on that. I can turn that vote up more
15 and I say it again, I just don't think that if
16 she had had another -- if she had according to
17 your records, and I don't agree with that 98,
18 but we're just going to use that for the sake of
19 conversation, 99, whatever it was, that if
20 another 400 African American people voted she
21 would have been elected.

22 MS. COHEN: Can we have this
23 marked?
24

0078

1 (Exhibit Number 4, Affidavit, marked)

2

3 MS. COHEN: Just for the record I
4 am putting in evidence what has been
5 marked as Exhibit 4 which is the affidavit
6 of Richard L. Engstrom, Ph.D., who is the

3 believe that blacks are discouraged from
4 running for office?

5 A. No. No.

6 Q. Why do you say that?

7 A. If you reflect over the years there
8 has been a number of individuals who run
9 for office.

10 Q. And do you think black voters are
11 discouraged from voting because many of
12 the black candidates do not get elected?

13 A. No. I just think that voters are
14 voters. Voters are very intelligent people, and
15 they're not going to vote for me because I'm
16 black because they're black.

17 They look at my make-up, my
18 qualifications, my commitment to what they feel
19 their issues are, and they vote. There have
20 been plenty of black candidates that have run
21 over the years that have not gotten the good
22 support out of the black community.

23 So people don't just vote for you
24 because you're one or the other. I mean, they
0081

1 like to feel if I'm black they're black. But I
2 need to be qualified for the job, I need to be
3 committed to the job, and I need to be able to
4 do the job.

5 Q. Why do you think more black people
6 don't vote?

7 A. Why do I think? That's a \$64,000
8 question. I can tell you what I think. Black
9 people are generally turned off from
10 presidential politics to state politics to local
11 politics. They sit out presidential elections,
12 they sit out the gubernatorial elections, they
13 sit out state senate races, they sit out races
14 until they feel that there's a candidate that
15 they can support that can articulate and carry
16 their issues.

17 Points that with Jesse Jackson when
18 he ran for president, that galvanized the black
19 vote.

20 Q. Are you saying that more black
21 people don't vote because there aren't good
22 candidates; is that your position?

23 A. No, their opinion they might not be

24 good candidates, and sometimes black people just
0082

1 feel the system, the educational system, the
2 criminal justice system, the court system
3 there's a void. They don't feel there's justice
4 in this country, period.

5 And some of them just say they just
6 opt out. Do I agree with that? No. But I mean
7 if you look at the unemployment rate in the
8 black community, statewide looking at employment
9 rate in the black community across this
10 community, look at the blacks not being able to
11 get access to capital to start businesses, you
12 look at the wealth, the disparity and the wealth
13 between the white community and the black
14 community those are all issues that I say play
15 into formulating opinions.

16 People don't have hope. They don't
17 see past tomorrow and sometimes they just feel
18 this whole system, the whole system has let them
19 down. Do I believe in that? No, I don't. But
20 this is the opinion of people.

21 You go out on State Street, go on
22 Mason Square and talk to people and see what
23 they say. Politics is the last thing on their
24 minds.

0083

1 Q. Let me ask you this: If there were
2 a change in the election system to something
3 that people perceived were a fairer way to get
4 elected do you think people would come out and
5 vote?

6 A. You know what, I say no to that.
7 And I look at Roxbury which is a district. The
8 people don't vote at 90 percent in Roxbury. You
9 look to the north end in Hartford which is a
10 district, blacks don't vote in 90 percent.
11 That's not a panacea, it just isn't.

12 I just feel that we have to do --
13 you know, this remedy is a political remedy. It
14 should be a political remedy and not a court
15 remedy. It's a political decision and a
16 political system so politics has to really
17 remedy this. The courts cannot remedy this,
18 just can't.

19 Q. The people of Springfield voted on

20 a referendum as to whether or not to have ward
21 representation; is that correct?

22 A. That's correct.

23 Q. And that referendum was in 1997;
24 correct?

0084

1 A. Right. I believe so.

2 Q. And the referendum passed by 58
3 percent; is that correct?

4 A. It didn't when, that's what we fail
5 to realize.

6 Q. Did the referendum pass? Did 58
7 percent of the voters who voted vote in favor of
8 changing the at-large system to ward
9 representation?

10 A. If they would have won we'd have
11 ward representation now.

12 Q. You didn't answer my question.

13 MS. ROSS: 58 percent didn't vote.

14 Q. (By Ms. Cohen) Did the majority of
15 voters who voted in the ballot initiative as to
16 whether the system should be changed from an
17 at-large system to a ward representation system
18 vote in favor of changing the system; yes or no?

19 A. But am I tied to this 58 percent
20 that you said? I don't want to because --

21 Q. I'll withdraw the 58 percent. I
22 said a majority. **Did a majority of the people**
23 **who voted in the referendum vote in favor of**
24 **changing the system?**

0085

1 A. **Then yes, that's true.**

2 Q. Okay. And you yourself proposed
3 changing the system to an 8/5 system, being
4 eight ward representatives and five at-large; is
5 that correct?

6 A. That's correct.

7 Q. And you believed that that change
8 would be beneficial?

9 A. In the spirit of compromise.

10 Q. And is it your position today that
11 an 8/5 system should be adopted?

12 A. It's something that I would advance
13 to the council and let the council and mayor
14 decide. They vote for it it should be in, if
15 they don't then it's out.